

322 B
Actual copy

402

Army Navy Air Force Journal
1 December 1951

U. S. NAVY & MARINE CORPS

Concurrent Pay Decision

Two separate decisions, issuing this week from the Office of the Comptroller General and affecting two retired officers of the Navy on the same subject, hold that retired officers serving as consultants to or members of Government agencies are not entitled to their retired pay on days when they receive compensation for their civilian duty. An official digest of decisions B-103571 and B-105106, worded practically identically, follows:

"The provisions of section 212 of the Economy Act, as amended, limiting to \$3,000 per annum the combined rate of retired pay and civilian compensation which may be received by a retired officer holding a civilian position, are applicable in the case of a retired Naval Officer intermittently employed as a consultant on a time basis, only on the days he receives compensation for his civilian position, and on all other days, including Saturdays, Sundays, and holidays, when he is not performing civilian duties he is entitled to retired pay."

The decisions concerned the retired pay rights of Rear Adm. John H. Hoover, USN, (Ret), a consultant with the Economic Stabilization Agency, and Admiral Thomas C. Kinkaid, USN, (Ret), a member of the National Security Training Commission.